

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

)

v.

)

Ricky L Romero Jr

Case No. 22-424 MIS

Defendant

)

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: _____

Place

on _____

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

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AO 199B (Rev. 12/11) Additional Conditions of Release

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ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

() (6) The defendant is placed in the custody of:

Person or organization Ricky Alan Romero

Address (only if above is an organization)

City and state Roswell, NMTel. No. 575-551-8225

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: S. R. R.
Custodian

3-23-22
Date

() (7) The defendant must:

() (a) submit to supervision by and report for supervision to the telephone number _____, no later than _____.

() (b) continue or actively seek employment.

() (c) continue or start an education program.

() (d) surrender any passport to: _____.

() (e) not obtain a passport or other international travel document.

() (f) abide by the following restrictions on personal association, residence, or travel: Travel restricted to county of residence with direct travel to Las Cruces, New Mexico for court proceedings and to meet with attorney. Pretrial Services authorized to expand travel within the U.S., only if necessary. NO TRAVEL TO MEXICO.

() (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: co-defendants

() (h) get medical or psychiatric treatment: Participate in medical or psychiatric treatment/mental health assessment/counseling/treatment as directed by Pretrial Services.

() (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____.

() (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

() (k) not possess a firearm, destructive device, or other weapon.

() (l) not use alcohol () at all () excessively. Submit to random alcohol screening at the discretion of Pretrial Services.

() (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

() (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

() (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

() (p) participate in one of the following location restriction programs and comply with its requirements as directed.

() (i) **Curfew.** You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services office or supervising officer, or

() (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

() (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

() (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

Ordered Technology: () GPS () Radio Frequency () Supervising officer discretion() You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.() (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.() (s) Contact attorney on a regular basis as directed by attorney. If attorney has no contact with defendant for more than 15 days, attorney is to advise Pretrial Services.

Defendant is to report to Pretrial Services immediately prior to reporting to the attorney or leaving town on the day of release.

DEFENDANT MUST RESIDE WITH THE THIRD PARTY CUSTODIAN RICKY ALAN ROMERO.

DEFENDANT MUST REFRAIN FROM THE USE AND POSSESSION OF SYNTHETIC CANNABINOIDs OR OTHER LEGALLY SOLD DESIGNER DRUGS.

ADDITIONAL CONDITIONS OF RELEASE**CONDITIONS APPLIED TO ADAM WALSH ACT CASES:**

On July 26, 2006, The Adam Walsh Child Protection and Safety Act of 2006 became law. The Act amends 18 U.S.C. 3142(c)(1)(B) by requiring that any release order shall contain, at a minimum, a condition of electronic monitoring in any case that involves a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) to (3), 2252A(a)(1) to (4), 2260, 2421, 2422, 2423, 2425 or 2250. In addition to imposing an electronic monitoring condition, the Act requires that a court also impose the conditions specified in § 3142(c) (1) (B) (iv) [travel restriction], (v) [avoiding contact with alleged victim or potential witnesses], (vi) [report to pretrial services], vii) [comply with a specified curfew], and (viii) [refrain from possessing a firearm].

(iv) Follow restrictions on personal association, residence, or travel as directed by Pretrial Services. Travel restricted to: county of residence with direct travel to Las Cruces, NM to meet with attorney or for Court

(v) Avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: co-defendants

(vi) Report to the Pretrial Services as directed.

(vii) Comply with a daily curfew as directed by Pretrial Services or supervising officer.

(viii) Refrain from any use or possession of a firearm, destructive device, or other dangerous weapon or ammunition. All weapons need to be removed from the residence, except for the third-party custodian's duty weapon, which needs to be locked in a place where the defendant cannot access it.

ADDITIONAL CONDITIONS WHICH MAY APPLY ON SEX OFFENSE CASES

Not have contact with anyone under the age of 18, except for his daughter.

ADVICE OF PENALTIES AND SANCTIONS**TO THE DEFENDANT:****YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:**

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- ~~(2)~~ an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

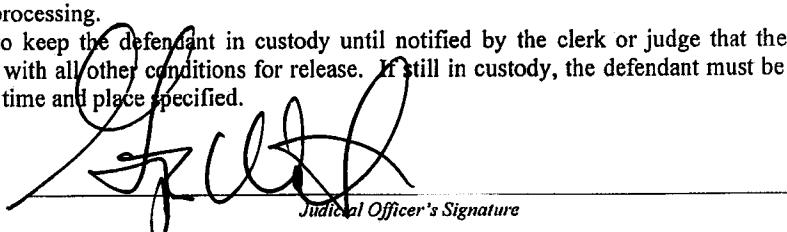
Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

**Witness:** *John***ROSWELL, NM****Date Defendant Released:** 03/24/22**City and State****Directions to the United States Marshal**

() The defendant is ORDERED released after processing.

() The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 28 Mar 2022
Judicial Officer's Signature**GREGORY B. WORMUTH, U.S. MAGISTRATE JUDGE****Printed name and title**